

October 22, 2012

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, DC 20554

Re: Public Comment for CC Docket No. 96-128 (“Wright Petition”)

Dear Secretary Dortch:

Over 1.6 million people are currently incarcerated in the United States, and approximately 700,000 will be released this year.¹ Research has shown that maintaining family relationships is a significant factor in the reduction of recidivism. For example, the Jane Addams Center for Social Policy and Research determined that “[f]amily roles and relationships are important in reentry planning Family connections and other social networks impact not only families’ and children’s well-being, but also the achievement of social goals such as the reduction of crime and the building of vibrant communities.”² Additionally, the Urban Institute identified that released prisoners who had “closer family relationships, stronger family support, and fewer negative dynamics in relationships with intimate partners were more likely to have worked after release and were less likely to have used drugs. It is evident that family support, when it exists, is a strong asset that can be brought to the table in the reentry planning process.”³ These findings have long been recognized by corrections officials. In describing the purpose behind prisoner telephone access, the Federal Bureau of Prisons states, “Telephone privileges are a supplemental means of maintaining community and family ties that will contribute to an inmate’s personal development.”⁴ Consensus is clear that maintaining and building family relationships have a positive impact on recidivism—when released prisoners are in relationship with a supportive family, they are more likely to find a job, less likely to use drugs, and less likely to be involved in criminal activities.

Unfortunately, maintaining contact with family members by telephone is often extremely difficult for offenders due to the exorbitant rate of prison phone charges. State prisons often contract with a single phone company, allow that company to charge for services at rates far

¹ PAUL GUERINO, PAIGE M. HARRISON, AND WILLIAM J. SABOL, U.S. DEP’T OF JUST., OFF. OF JUST. PROGRAMS, BUREAU OF JUST. STAT., NCJ 236096, PRISONERS IN 2010 [at] 1, 5 (rev. Feb. 9, 2012), *available at* <http://bjs.ojp.usdoj.gov/content/pub/pdf/p10.pdf>.

² Creasie Finney Hairston et al., *Children, Families, and the Criminal Justice System: Family Connections During Imprisonment and Prisoners’ Community Reentry* 3 (Jane Addams Ctr. for Soc. Pol’y and Res., Research Brief, Winter 2004), *available at* http://www.uic.edu/jaddams/college/research_public_service/files/familyconnections.pdf.


³ Christy Visher et al., *Baltimore Prisoners’ Experiences Returning Home* 6 (Urban Institute March 2004), *available at* http://www.urban.org/UploadedPDF/310946_BaltimorePrisoners.pdf.

⁴ 28 C.F.R. § 540.100(a) (2012).

above the market price, and then receive substantial “commissions” from company revenues.⁵ Some states use a debit system for prisoners to buy phone minutes, but collect call systems are the norm. This means that many offenders’ families must bear the financial burden of calls, which is often overwhelming for those who come from impoverished communities. Not only do these practices oppress poor families, they are also perverse public policy. The “commission” that State governments receive represents a regressive and highly selective tax that collectively punishes offender families.

Justice Fellowship believes that these unjust prison telephone policies must be eradicated. The FCC should uphold the Wright Petition by requiring companies to charge reasonable rates for prison calls that are comparable to rates outside of prison. Adopting such policy reforms will facilitate more communication between incarcerated offenders and their families, enabling them to draw from the encouragement and accountability that those relationships provide. Keeping these relationships a priority enhances offenders’ well-being and protects the well-being of their communities.

Sincerely,

A handwritten signature in dark ink, appearing to read 'CDR', with a long horizontal flourish extending to the right.

Craig DeRoche
Vice President

⁵ See John E. Dannenberg, *Nationwide PLN Survey Examines Prison Phone Contracts, Kickbacks*, PRISON LEGAL NEWS 16 (Apr. 2011) (Providing a chart indicating that States received over \$152 million in kickback funds) , available at http://www.prisonphonejustice.org/includes/_public/_publications/Telephones/pln%20april%202011%20cover%20story%20on%20prison%20phone%20industry.pdf.